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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/717,334	11/22/2000	Essam Sourour	P12508-US1-SC	9472

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HARRITY & SNYDER, LLP  
11240 WAPLES MILL ROAD  
SUITE 300  
FAIRFAX, VA 22030

EXAMINER

GANTT, ALAN T

ART UNIT PAPER NUMBER

2684

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/717,334

Applicant(s)

SOUROUR, ESSAM

Examiner

Alan T. Gantt

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 and 9-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6, 9 and 21-30 is/are allowed.
- 6) ☒ Claim(s) 10-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION*****Response to Arguments***

Applicant's arguments filed 10/4/04 have been fully considered. In particular, Applicant mainly argues that none of the prior art utilized teaches the aspect of estimating signal quality on a forward link during a first power group period, determining a power control bit based on the estimated signal quality and transmitting the PCB on a reverse link during the first power control group period. The examiner introduces a new reference that performs in a manner at least similar to the language above.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10- 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen.

Regarding claim 10, Chen discloses a method and apparatus for power adaptation control in closed loop communications. Chen utilizes a low bandwidth feedback channel between the base station and mobile station in a fast feedback mode where the delay is short in executing commands between the mobile station and the base station. The mobile sends messages over the feedback or reverse link channel, where the messages indicate the quality or power levels or power of each frame or portion of a frame received in the forward link (col. 3, lines 3-37). With regards to the claim limitations, Chen does a method of facilitating forward link power control

Art Unit: 2684

based on a measured portion of the forward link signal, there is a feedback to the base station of the measurements at the mobile as changes are happening. This is equivalent to determining a power control bit of the estimated signal quality. Since the messages related to the power level changes are sent through the feedback channel, obviously the limitation regarding transmitting the power control bit on a reverse link during the first power control group period can be met by this type of configuration since a feedback loop provides for changes as the forward signal is occurring. Chen does not actually utilize estimating.

However, the examiner takes Official Notice that it is well known to utilize measurements of a partial frame to provide an estimate for the whole frame and to use such partial measurements make adjustments such a system feedback loops.

Regarding claim 15, Chen discloses a method and apparatus for power adaptation control in closed loop communications. Chen utilizes a low bandwidth feedback channel between the base station and mobile station in a fast feedback mode where the delay is short in executing commands between the mobile station and the base station. The mobile sends messages over the feedback or reverse link channel, where the messages indicate the quality or power levels or power of each frame or portion of a frame received in the forward link (col. 3, lines 3-37). With regards to the claim limitations, Chen does a method of facilitating forward link power control based on a measured portion of the forward link signal, there is a feedback to the base station of the measurements at the mobile as changes are happening. This is equivalent to determining a power control bit of the estimated signal quality. Since the messages related to the power level

Art Unit: 2684

changes are sent through the feedback channel, obviously the limitation regarding transmitting the power control bit on a reverse link during the first power control group period can be met by this type of configuration since a feedback loop provides for changes as the forward signal is occurring. Chen does not actually utilize estimating.

However, the examiner takes Official Notice that it is well known to utilize measurements of a partial frame to provide an estimate for the whole frame and to use such partial measurements make adjustments such a system feedback loops.

Regarding claim 20, Chen discloses a method and apparatus for power adaptation control in closed loop communications. Chen utilizes a low bandwidth feedback channel between the base station and mobile station in a fast feedback mode where the delay is short in executing commands between the mobile station and the base station. The mobile sends messages over the feedback or reverse link channel, where the messages indicate the quality or power levels or power of each frame or portion of a frame received in the forward link (col. 3, lines 3-37). With regards to the claim limitations, Chen does a method of facilitating forward link power control based on a measured portion of the forward link signal, there is a feedback to the base station of the measurements at the mobile as changes are happening. This is equivalent to determining a power control bit of the estimated signal quality. Since the messages related to the power level changes are sent through the feedback channel, obviously the limitation regarding transmitting the power control bit on a reverse link during the first power control group period can be met by this type of configuration since a feedback loop provides for changes as the forward signal is occurring. Chen does not actually utilize estimating.

However, the examiner takes Official Notice that it is well known to utilize measurements of a partial frame to provide an estimate for the whole frame and to use such partial measurements make adjustments such a system feedback loops.

Regarding claims 11 and 16, the examiner takes Official Notice that it is well known to utilize measurements of a partial frame to provide an estimate for the whole frame and to use such partial measurements make adjustments such a system feedback loops.

Regarding claims 12 and 17, Chen utilizes a partial frame measurement, which is less than period  $T_{sub.1}$ .

Regarding claims 13 and 18, there is naturally a propagation delay in such systems.

Regarding claims 14 and 19, a power control group transmission will have symbols as a matter of course.

#### ***Allowable Subject Matter***

Claims 1-9 and 21-30 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claims 1, 6, 21, and 26, the level of specific detail for the outline time frame for method of controlling forward link power control was neither found, suggested, nor made evident by the prior art.

Art Unit: 2684

*Conclusion*

Any inquiry concerning this communication from the examiner should be addressed to Alan Gantt at telephone number (517) 272-7878. The examiner can normally be reached between 9:30 AM and 6 PM within the Eastern Time Zone. The group FAX number is (703) 872-9306.

Any inquiry of a general nature or relating to this application should be directed to the group receptionist at telephone number (703) 305-4700.

*Alan T. Gantt*

Alan T. Gantt

April 4, 2005

*Nay Maung*  
NAY MAUNG  
SUPERVISORY PATENT EXAMINER